

AN ORDINANCE " 99606

**AMENDING CITY ORDINANCE NO. 89366, DATED
MARCH 4, 1999, TO EXPAND THE ENFORCEMENT
DUTIES OF THE SAN ANTONIO POLICE DEPARTMENT
PUBLIC SAFETY TEAM VOLUNTEERS TO INCLUDE
FIRE LANE PARKING VIOLATIONS.**

WHEREAS, pursuant to Ordinance 89366, passed on March 4, 1999, San Antonio Police Department (SAPD) Public Safety Team (PST) volunteers may be authorized by the chief of police to act as disabled-parking enforcement volunteers, with the authority to issue citations for the improper use of disabled parking spaces; and

WHEREAS, the improper use of fire lanes is a serious problem that could jeopardize the health and safety of those citizens in need of emergency services; and

WHEREAS, it is believed that authorizing PST volunteers to act as fire-lane enforcement volunteers, with the authority to issue citations for the improper use of fire lanes, would enhance enforcement of the laws prohibiting the improper use of fire lanes; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Ordinance 89366, passed on March 4, 1999, is hereby amended to include, in addition to the existing provisions, the following provisions:

SECTION 6. The chief of police of the San Antonio Police Department may appoint any qualified person as a fire-lane enforcement volunteer to issue citations charging persons with violations of laws prohibiting the improper use of fire lanes, namely and specifically, with violations of section 503.9 (unlawful to park in fire lane) of the 2003 International Fire Code, as adopted and amended. The chief of police may remove any person appointed as a fire-lane enforcement volunteer. The chief of police may adopt rules to implement the appointment, use, and conduct of fire-lane enforcement volunteers.

SECTION 7. To be eligible for appointment as a fire-lane enforcement volunteer, a person must: (1) be a United States citizen of good moral character who has not been convicted of a felony; (2) take and subscribe to an oath of office prescribed by the city; and (3) successfully complete a training program of at least four hours in length developed by the city.

SECTION 8. A person seeking appointment as a fire-lane enforcement volunteer must submit an application that, at a minimum, demonstrates that he meets the qualifications set out in section 7.


SECTION 9. A person appointed as a fire-lane enforcement volunteer is hereby authorized to issue citations to any person violating section 503.9 (unlawful to park in fire lane) of the 2003 International Fire Code, as adopted and amended.

SECTION 10. A person appointed as a fire-lane enforcement volunteer (1) is not a peace officer; (2) has no authority other than the authority applicable to a citizen to enforce a law other than those set out in section 9 (appointment as a fire-lane enforcement volunteer, however, does not preclude appointment as a disabled-parking enforcement volunteer); (3) may not carry a weapon while performing the duties of a fire-lane enforcement volunteer; (4) is not entitled to any compensation for performing the duties of a fire-lane enforcement volunteer; and (5) is not entitled to indemnification from the city for injury or property damage the person sustains or liability the person incurs in performing the duties of a fire-lane enforcement volunteer.

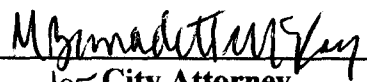
SECTION 11. If any provision of this ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid.

SECTION 2. This ordinance shall take effect ten days from the date of passage.

PASSED AND APPROVED this 19th day of August, 2004.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney